IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 3113 of 2005

Between:

The Government of Andhra Pradesh represented by its Principal Secretary, Home Department,
A.P. Secretariat, Hyderabad.

..... PETITIONER

AND

Sri N. Venkateswara Rao, Director, Sainik Welfare Under suspension, flat No. 122, Pearl Apartments, Begumpet, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ or direction more particularly one in the nature of a "WRIT OF CERTIORARI" calling for the records connected with order in O.A.No. 22/2005, dt. 06-1-2005 on the file of the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad and to quash the same as erroneous and contrary to law.

Counsel for the Petitioner:GP FOR SERVICES I

Counsel for the sole Respondent .: Mr.Surender Rao

The Court at the admission stage made the following :

O R D E R:(Per G.Bikshapathy, J)

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This writ petition is filed by the Government assailing the interim order passed by the A.P Administrative Tribunal in O.A.No.22 of 2005, dated 06-01-2005.

2. The Tribunal while admitting O.A No.22 of 2005, granted interim suspension of the order passed by the Government in G.O.Rt.No.1902, dated 30-12-2004 with a direction to the respondents to reinstate the applicant into service.

3. Assailing the said impugned order, the present writ petition has been filed by the Government.

4. Though, the learned Government Pleader tried to make submissions on merits of the case, we are not inclined to hear at this stage. However, we are inclined to grant liberty to the Government to file a vacate application before the Tribunal.

5. Hence, without giving any finding on the merits of the case, the writ petition is dismissed at the admission stage, leaving it open to the Government to take appropriate steps for filing vacate application before the Tribunal. No costs.

G. BIKSHAPATHY, J

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P.S.NARAYANA, J.

Dated 9th March, 2005.

mrb

To

1. The Principal Secretary, Government of Andhra Pradesh,

Home Department, A.P. Secretariat, Hyderabad.

2. Two CCs to G.P for Services-I, High Court Buildings,

Hyderabad(OUT).

3. Two CD copies.

4. The Registrar, A.P. Administrative Tribunal, Hyderabad.